

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educators)	ORDER OF SUSPENSION
)	(BREACH OF CONTRACT)
Certificate of Iris Tozzi)	
)	
Certificate # 214492)	

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 10, 2003. On April 30, 2003, the State Department of Education (Department) sent Ms. Iris Tozzi a notice of her right to a due process hearing regarding the possible suspension of her South Carolina educators certificate (certificate) by certified mail, return receipt requested, delivery restricted to addressee. Ms. Tozzi received the notice, as evidenced by the signed postal receipt. Ms. Tozzi did not request a hearing during the period allowed by law, and is now in default. After considering the evidence presented, which was undisputed by Ms. Tozzi, the State Board voted to suspend Ms. Tozzi's certificate for one year.

Ms. Tozzi holds a valid certificate, and has over one year of teaching experience. She was under contract with the Greenville County School District (District) for the 2002-2003 school year. On March 11, 2003, Ms. Tozzi wrote a letter to her principal stating she was resigning immediately because of excessive workloads and an intolerable level of stress. On March 31, 2003, the District Superintendent wrote Ms. Tozzi that she failed to comply with the provisions of her contract, and District policies and procedures. On April 8, 2003, the District Board voted to file a complaint against Ms. Tozzi with the State Board. On April 9, 2003, the Board Chair reported the matter to the Department and asked that the State Board suspend Ms. Tozzi's certificate for one year.

CONCLUSIONS OF LAW

The State Board may suspend the certificate of any person for breach of contract. S.C. Code Ann. § 59-25-530 (1990). Unprofessional conduct includes breach of contract. S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Regs. 43-58 (1992).

The State Board finds that there is conclusive evidence supporting its decision to suspend Ms. Tozzi's certificate # 214492 for a period of one year from June 10, 2003, through June 9, 2004, on the ground of unprofessional conduct due to breach of contract. At the end of the suspension period if she wants her certificate reinstated, Ms. Tozzi may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department.

South Carolina State Board of Education

By: /S/ Greg Killian

Greg Killian

Chair

Columbia, South Carolina

June 10, 2003